

Chancery District Court

Of the State of Mississippi at Holly Springs.

At Rules, the 1, Monday of August 1845.

Samuel Jones Jr.

vs.

John Allison et al.

Upon opening the matters of this Bill, it appearing to the satisfaction of the court, that Samuel Arbuttle, Thomas G. Allison, William A. Williams, John Allison, Alexander H. Poston, John H. Poston, and William H. Stodtrant, defendants, thereto, are not inhabitants of the State of Mississippi, but reside beyond the limits thereof, so that the ordinary process of this court cannot be served on them, and that the heirs of Josiah Gillespie dec'd, and Jabez Butter dec'd, defendants thereto, are unknown to the complainants; Therefore it is ordered that unless the said Samuel Arbuttle, Thomas G. Allison, William A. Williams, John Allison, Alexander H. Poston, John H. Poston, William H. Stodtrant, and the unknown heirs of the said Josiah Gillespie and Jabez Butter dec'd, appear before the Vice Chancellor, at the court room in Holly Springs, on the first Monday of January next, and plead, answer or demur to complainant's Bill, the several allegations thereof, as to them, will be taken for confessed, and such order and decree made thereon as shall appear equitable and just.

And it is further ordered that a copy of this order be inserted in "The Lynx," a newspaper published in the town of Panola, Mississippi, once a week for two months, successively.

JAMES C. ALDERSON, Clerk.

ABSTRACT OF BILL.

Charges. That on the 11th December 1839, the firm of Talbot Jones & co., consisting of John Jones, slave dec'd, and complainant, recovered a judgment in the United States District Court, for the Northern District of Mississippi, against defendant John Allison for \$694.49-100 debt and damages besides costs.

That about the 16th October, only a few weeks, prior to the recovery of said judgment, said Allison, fraudulently, to evade the execution of the same, made an assignment by a pretended deed of trust, to Asa Love, of all the remaining property therein named, which he had previously, to effect the same object, smuggled off and conveyed to Texas, the said property, to be made for the benefit of certain real or pretended creditors therein named, that among other debts, named and pretended to be secured by said deed, is one mentioned as being due to the Mississippi Union Bank for \$2000 upon a note in which the said Allison & John Rayburn, are the securities only for Samuel A. Gillespie who is principally that the intention of said Allison apparently upon the face of said deed, so far as regards that note, is not to secure the payment of the same to said Bank but rather to have said Rayburn indebted in any way on account thereof, that there was no consideration moving from said Rayburn to said Allison, and that said deed in other respects, has no binding force, so far as regards said debt of \$2000, that the principal in said note is solvent, and capable to pay said debt if not already due, that said Rayburn is exposed to no danger of molestation having been for several years wholly insolvent, many of the other debts mentioned in said deed, have been since the execution thereof paid off, that Josiah Gillespie, one of the witnesses to said deed, is one of the creditors therein named, that proof of said deed was made by the witnesses, there being but one other besides said Gillespie, that the certificate of proof in other respects, is not such as the statute requires for admission to record, that said deed was improperly admitted to record and operates as no bar to the lien of said judgment, upon the property therein named, that portion of the property pretended to be conveyed by said deed is a section of land therein described, having about 160 acres cleared with valuable improvements thereon, defendant Love the Trustee, came immediately into possession thereof, and has occupied and enjoyed the same ever since the execution of said deed, under an agreement to pay rent therefor, at the rate of \$3 50 per acre, that he also took possession of all the personal property in said deed specified, together with all the crop of the crop of the year 1839, raised by said Allison, which he was to dispose of and account for as trustee, that the whole amount of debts mentioned in said deed, besides that of \$2000, to the Mississippi Union Bank is between \$1400 and \$1500, some of which are already paid, that it was not the honest and bona fide intention of said Allison, to secure the payment of the debts, mentioned in said deed, but to delay, hinder and defraud other just creditors one of whom is complainant.

PRAYER. That said deed of trust be decreed to be null and void and of no effect and set aside, so that complainant with all other creditors may stand upon an equal footing, and his judgment have its unobstructed course, but if it should appear that said deed is not fraudulent, as to the rights of complainant, nor otherwise defective, and that the same ought to have its full force and effect, whether as to all the debts therein named, or whether only as to all except said \$2000, then that said Love Trustee, be decreed to execute said trust, by selling all of said property remaining unsold including said land and liquidate and discharge said debts, with the proceeds of said sale, and pay any balance that may be left, to satisfaction of complainant's judgment and

KNIGHTS OF THE HORSE SHOE; A TRADITIONAL TALE OF THE COCKED-HAT GENTRY OF THE OLD DOMAIN.

By the Author of "The Cavaliers of Virginia"

CHARLES YANCY has the pleasure of informing the Southern public that he will issue from his Press in West Wetumpka, Ala., in a few weeks, the above named Novel, by a distinguished author residing in the State of Georgia.

The *Knights of the Horse Shoe* will be issued in Pamphlet form, 2 vols., 125 pages, or more, each. Price 75 cts. per single copy—9 copies for \$2.00; 20 copies for \$10.

Letters by mail, post paid, enclosing the money, will receive prompt attention. Address CHARLES YANCY, Wetumpka, Ala., July 15, 1845

The State of Mississippi, PROBATE

Tallahatchie county, COURT,

August term 1845.

THE Probate court of said county at the term aforesaid having granted to the undersigned, Letters of Administration on the estate of William Falkner dec'd. This is therefore, to notify all persons indebted to said estate, to make immediate payment; and all persons having claims against said estate, must present them to the undersigned duly authenticated within the time prescribed by law, or they will be forever barred.

J. T. M. DUKE,

Administrator of Wm Falkner dec'd.

Charleston Aug 11 1845. 31-6w

REMOVED—NOT FAR.

Dr. Holcombe having removed his family to the Simmers' Camp Ground, 8 miles east of Panola, hopes his former patients and all others who may wish his professional services will soon learn where to apply.

FRANKLIN HOUSE

Memphis, Tenn.

Front row, just below Exchange Square.

GEORGE W. REDFORD.

(LATE OF THE PLANTERS HOUSE.)

TERMS.

Board for one year, with Lodging, \$200 00

Board for one year, without Lodging, 150 00

Board for one year, with Lodging, 20 00

Board for one year, without Lodging, 15 00

May per day, 1 00

May per week, 6 00

For man and horse, Supper, Lodging, and Breakfast, 1 25

For man and horse per day, 1 00

Single meal, 25 cts

Lodging, 35 cts

3m

JAILORS' NOTICE.

WAS committed to the Jail of Panola County, Miss on the 20th day of September, 1845, by John H. Montgomery, of Tallahatchie county. Mr. a negro man calling his name Henderson, and says he belongs to Rimmer Nutt, of Hands Co., Mississippi. The said negro is about 5 feet 3 inches in height, of a dark color, heavy set, free when spoken to, he is about 25 years of age—no marks nor scars perceptible.

The above negro was in company, were well provided with cooking utensils, and had plenty of clothing with them to wear and plenty of bed-clothing. The owner of said negro is requested to come forward, prove property and take him away, or he will be dealt with as the law directs.

W. W. SMITH, Sh.

37-1f

EXECUTOR'S NOTICE.

LETTERS Testamentary on the estate of George A. Alexander, dec'd, having been granted to the undersigned by the Hon. Probate Court of Panola County, at the September term 1845, of said Court, notice is hereby given to all persons indebted to said estate to come forward and make immediate payment; and all persons having claims against said estate, will present the same duly authenticated to the undersigned within the period prescribed by law, or they will be barred.

CHARLES T. ALEXANDER.

GEORGE L. ALEXANDER,

Executors. 36-6t

Insolvent Notice.

THE STATE OF MISSISSIPPI

PANOLA COUNTY.

Probate Court, September Term, 1845.

WE, the undersigned Commissioners of Insolvency, on the estate of Thomas W. Watson, dec'd, [represented insolvent], appointed by said Court at the Term aforesaid, will meet at the office of C. F. Curtis on the third Monday in each month, to examine, audit, and settle the claims for and against said estate.

CHARLES T. ALEXANDER.

GEORGE L. ALEXANDER,

Executors. 36-6t

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Executors. 36-6t

Insolvent Notice.

THE STATE OF MISSISSIPPI

PANOLA COUNTY.

Probate Court, September Term, 1845.

The State of Mississippi, PROBATE

Tallahatchie county, COURT,

August term 1845.

THE Probate court of said county having granted to the undersigned, Letters of administration of the estate of John Sutton dec'd. This is therefore, to notify all persons indebted to said estate, to make immediate payment; and all persons having claims against said estate, to present them to me duly authenticated within the time prescribed by law, or they will be forever barred.

JAMES BUCKLEY

adm'r of John Sutton dec'd.

Charleston Aug 11 1845. 31-6w

Insolvent Notice.

The State of Mississippi, PROBATE

Panola County, COURT,

March Term 1845.

WE, the undersigned Commissioners of Insolvency on the estate of Edward M. Haile dec'd, (represented insolvent), appointed by said Court at the term aforesaid, will meet at the office of Harrison & Vance on the third Monday in each month, to examine, audit, and settle the claims for and against said estate. All persons holding claims against said estate, will present them within the time prescribed by law.

JAMES PACKER.

WILLIAM RANEY, Com's

A. J. HOLCOMBE. 10-6m

NOTICE.

BY order of

General of the

Fifth Division of the

Mississippi, an election

will be held at the

several precincts in the

61st Regiment, embracing

the

south side of the Tallahatchie river in

Panola county, on the first Monday

and day following in November, next,

to elect a Brigadier-General for the

second Brigade of said Dragoons.

Notice is also hereby given that an

election will be held at the same time

to elect a Colonel, Lieutenant and

Major of the 61st Regiment, M. M. com-

prising the same districts above.

By order, C. MILLER,

Cot. Com'd 61st Reg't M. M.

39-1e

FLETCHER'S HOTEL.

KEEP MOVING.

I HAVE moved from Main street, to

the corner of Front Row and Mon-

roe street, opposite the steam-boat land-

ing, where I shall be pleased to see my

old friends, and the public in general.

My house is new and comfortable, and

I have a large brick stable convenient,

with a first rate Ostler. My bills will

remain as they have been, that is, for

Man and horse, per day, \$1 50

Supper, bed and breakfast, 1 25

I would say to my old friends, and

any one else wishing to stop with me,

that my house is built of brick, and fire

proof.

J. M. FLETCHER.

July 1st, 1845. 25-4f

NOTICE.

PERSONS indebted to this office, who

do not pay up immediately, may expect

to be shortly visited by a Constable.

Publisher of the Register

Sept. 28 1844.

NOTICE.

TO ALL persons interested in the

lands, tenements and hereditaments

of E. H. Garrett, dec'd, the East 1/2 of

Section 28, Township 9, of Range 6

West, you are hereby cited to be and

personally appear before the Probate

Court of Panola County, to be held at

the Court-house thereof, on the 3d Mon-

day of September next—then and there

to show cause if any you can, why an

order should not be made to sell the

above described land, in pursuance of

the petition of Asa Love, administrator

of the Estate of said E. H. Garrett, dec'd.

Witness the Hon. J. T. BURRAGE,

Judge of the Probate Court of said county,

the 3d Monday of July, A. D. 1845.

23-3w

Notice.

Robert Powers, Administrator of the

Estate of John Powers, deceased, has

filed his accounts at the August Term

of the Probate Court of Tallahatchie

county, for final settlement of said Es-

tate at the November Term, 1844 o

said Court.

Notice is hereby given to all interest-

ed to attend and show cause, if any they

can, why final settlement and allowanc-

of said accounts should not be made.

ROBERT POWERS, Adm'r

of John Powers, deceased.

Administrator's Notice.

Probate Court, April Term 1845

Tallahatchie county, 14th day of the

month.

Thomas P. C. Lott surviving adminis-

trator &c. of the estate of William

Lott deceased by Alexander H. David-

son his agent and attorney in fact, has

this day filed his account for final set-

tlement of said estate, at the July term

1845 of said Probate court.

This is to notify all persons interest-

ed, to be and personally appear at said

term of the court, and show cause if

any they can why said administrator's

accounts shall not be allowed, and final

settlement of said estate made.

Christion M. THOSP. C. LOTT,

surviving adm'r &c.

by A. H. Davidson

ag't & atty. in fact.

ADMINISTRATOR'S NOTICE.

Letters of administration having been granted to the undersigned, on the Estate of Eli South, deceased, at the October term, A. D. 1844 of the Probate court of Panola county—this therefore is to notify all persons indebted to said Estate to come forward immediately and make payment. And those having claims against said estate, will present the same, duly authenticated, to the subscriber, within the time limited by law, or this notice will be plead as a bar to the recovery of the same.

36-6w. HIRAM RHODES, Adm'r

Administrator's Notice.

AGREEABLY to an order of the Hon. Probate Court of Panola county Mi. made at the October Term thereof A. D. 1844, I will as Administrator of the Estate of Sarah Harrison, deceased, present my accounts for final settlement and allowance, at the December Term A. D. 1844 of said Court.

All persons interested are hereby notified to attend and show cause if any they have, why final settlement and allowance should not be made.

LUDY COTHEEN Adm'r

de bonis non of Sarah Harrison dec'd.

33-6w.

COMMERCIAL

MOTEL,

Memphis Tennessee

By

THOMAS JOHNSON

(LATE OF THE EXCHANGE HOUSE.)

This new and splendid House, with

new furniture throughout, is now open.

THE COMMERCIAL HOTEL is

situated in the centre of the Business

part of the city, near the Steam Boat

Landing, in Andrews' fine block of

buildings. The proprietor pledges him-

self to be excelled by no one, in his

accommodations.

Memphis Jan. 29 1845 6-6m.

Administrators Notice.

JOHN J. WATSON and JERROD

W. KERBY, having qualified at the

June term 1845, of the Probate Court

of Panola county Mississippi, as admin-

istrators of the estate of Thomas W.

Watson deceased, Notice is hereby

given to all persons indebted to said es-

tate, to come forward and make im-

mediate payment, and persons having

claims against said estate, are notified

to present them to the undersigned duly

authenticated within the time prescrib-

ed by law, or they will be forever bar-

red.

JOHN H. WATSON, Adm's

JERROD W. KERBY, Adm's

23-6ws.

INSOLVENT NOTICE

THE STATE OF MISSISSIPPI

PANOLA COUNTY.

Probate Court, April Term 1845.

WE, the undersigned Commissioners

of Insolvency, appointed by the Hon.

Probate Court of said county, at the

term aforesaid, on the Estate of S.

Wood deceased, will meet at the office

of Harrison & Vance in the town of